LAW SECRETARIAT.

Reviews the report on the Administration of Civil Justice for 1928-29.

READ—

The Report on the Administration of Civil Justice in Mysore for 1928-29, received from the Registrar, Chief Court, with his letter No. P. 37, dated 28th October 1929.

ORDER No. P. 3655—CTS. 96-29-2, DATED 18—21ST JANUARY 1930.

Recorded.

2. *Number of Courts.*—The total number of Courts under the Chief Court at the close of the year was 33 consisting of the Courts of three District Judges, five Subordinate Judges (including two temporary Subordinate Judges at Mysore and Shimoga), one Small Cause Judge and 24 Munsiffs. There were in addition 189 Village Munsiffs Courts, of which only 105 were actually working.

3. *Original work (a) Institutions.*—There was a slight decrease in the number of suits instituted, *viz.*, from 39,832 in the previous year to 38,945 (16,621 ordinary and 22,234 Small Causes) in the year under review. (*b*) *Disposals.*—Including 18,895 suits pending from the previous year and those refiled and excluding 122 suits transferred from one Court to another, the number of suits for disposal during the year under review was 58,957 as against 58,154 in the previous year. There was an improvement in the disposals which rose from 39,259 suits in the previous year to 39,797 suits (16,967 ordinary and 22,824 Small Cause) during the year under review. The percentage of ordinary suits disposed of after contest was practically the same as in the previous year. The arrears are still heavy, especially in the Munsiffs' Courts, on account partly of the low percentage of disposals in some of the Courts such as the Second Munsiff's Court at Mysore and partly of the unequal distribution of work, and point to the need for an early re-distribution of the territorial jurisdiction of Munsiffs' Courts. Government note that the matter is receiving the attention of the Chief Court.

Duration.—While the average duration of suits taken as a whole was 143·46 days as against 162·29 days in the previous year, that of contested ordinary suits rose from 515·5 to 541·82 and this increase is attributed to old cases disposed of by the District Judges during the year under review.

4. *Execution of Decrees.*—Including 29,851 cases pending from the previous year there were for disposal 75,087 cases as against 80,527 in 1927-28. Of these 45,574 cases (as against 50,676 in the previous year) were disposed of and 29,513 were pending at the close of the year. As regards applications that proved wholly infructuous, the percentage of such applications rose from 52·2 to 58·5 and there was thus a lapse from the improvement shown in 1927-28. Government trust that the Chief Court will issue necessary instructions to the Subordinate Courts to secure better results in future.

5. *Appeals in Subordinate Appellate Courts.*—Including the arrears of the previous year the number of appeals for disposal in the Courts of the District Judges and the Subordinate Judges was 1,119 and 903 against 886 and 818 respectively in the previous year. Though the disposal both by the District Judges and by the Subordinate Judges was better than in the previous year, *viz.*, 330 as against 256 and 518 as against 377 respectively, the number of appeals pending at the close of the year was still very large. The increase was due chiefly to appeals in the Bangalore Division under the present arrangement being entertained directly by the District Judge. The number of appeals on his file, compared with those of the previous year, increased nearly four-fold. In order to relieve this congestion the Judge of the Small Cause Court, Bangalore and the First Magistrate, Kolar, have been appointed Additional Subordinate Judges for the Division to dispose of appeals transferred to them by the District Judge. There was a slight decrease in the average duration of regular appeals from 337·98 and 643·74 days in 1927-28 to 336·63 and 621·60 days in District Courts and Subordinate Courts respectively.

6. *Chief Court.*—The cases of all classes for disposal, and those disposed of by the Chief Court, during the year under review were 1,909 and 957 as against 2,089 and 993 respectively in the previous year.

(*i*) *First Appeals.*—Including 663 first appeals pending from the previous year and two refiled there were for disposal 737 first appeals as against 1,035 in 1927-28. Out of these 338 were disposed of as against 372 in the previous year and 399 were pending at the close of the year. Government are glad to note that the arrears under this head have been appreciably reduced, and they trust that the 11 appeals of 1924-25, 51 of 1925-26 and 161 of 1926-27 still pending will be disposed of early.

(*ii*) *Second Appeals.*—The number of second appeals filed during the year was 201 against 173 in the previous year and there were in all 357 for disposal out of which 190 were disposed of as against 203 in the previous year.

(*iii*) *Average duration.*—The average duration of first appeals rose from 850·06 in 1927-28 to 871·23 days in consequence of the disposal of a large number of old first appeals in the year under review, while that of second appeals decreased from 381·00 to 305·96 days.

Inspections.—The Judges of the Chief Court inspected all the Civil Courts in the State except the Munsiff's Court at Hole-Narsipur. The Inspection work of the District Judges was also satisfactory.

General.—The combination of Civil, Judicial and Magisterial functions in the same officer is being tried. The Munsiff at Narasimharajpura has recently been invested with Magisterial powers and the appointment referred to above of the First Magistrate at Kolar as Additional Subordinate Judge is also a step in the same direction. The question of further extending this arrangement is intimately connected with that of suitably readjusting the territorial jurisdiction of the Munsiffs Courts and Government will be glad if the proposals of the Chief Court in this behalf are expedited.

P. MAHADEVAYYA,
Secretary to Government,
Law Department.

GENERAL SECRETARIAT.

Holiday.

ORDER NO. G. 8594-650—G. M. 118-29-1, DATED 24TH JANUARY 1930.

All Public Offices, Courts, Educational and other Public Institutions in the State will be closed on Saturday the 8th March 1930, on account of the elections to be held on that day for the Mysore Representative Assembly and the Mysore Legislative Council.

By Order,
R. RANGA RAO,
General Secretary to Government.